

1 ~~04 NCAC 16A .0201~~ — ~~PETITION FOR ADOPTION; AMENDMENT OR REPEAL OF RULES~~

2 ~~(a) Right to Petition. Any interested person may petition the Commissioner of Banks to promulgate, amend, or repeal an~~
3 ~~administrative rule.~~

4 ~~(b) Form of Petition. The petition shall be in writing, signed by the petitioning party or parties and must include the~~
5 ~~address of the petitioning party. In addition, the petition shall contain the following information:~~

6 ~~(1) — a draft of the proposed rule, amendment or repeal or a summary thereof;~~

7 ~~(2) — the reason(s) for the proposal;~~

8 ~~(3) — the effect on existing rules or orders or both;~~

9 ~~(4) — any data showing the probable effect of the proposal on existing practices in the area involved,~~
10 ~~including cost; and~~

11 ~~(5) — the names of those most likely to be affected by the proposal with addresses if reasonably known.~~

12 ~~(c) Address for Petition. Petitions shall be addressed to the Division at its mailing address.~~

13 ~~(d) Disposition of Petition. Upon receipt of a petition, the Commissioner of Banks shall make a study of the facts stated~~
14 ~~in the petition and any additional information he deems relevant. The Commissioner of Banks' disposition of the petition~~
15 ~~shall be made in one of the following forms within 30 days of receipt of the petition:~~

16 ~~(1) — a written denial of the proposal setting forth the reasons for such denial, or~~

17 ~~(2) — a written communication to the petitioner indicating the plan of the Commissioner of Banks to initiate~~
18 ~~rulemaking procedures pursuant to G.S. 150B-20.~~

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20 *History Note: Authority G.S. 54B-55; 150B-20;*
21 *Eff. July 1, 1990;*
22 *Amended Eff. December 1, 2011.*